

MOTION BY SUPERVISOR MICHAEL D. ANTONOVICH

MAY 25, 2010

Illegal dumping has been a significant problem in many communities throughout the County. Apart from posing a danger to public health and safety, it decreases property values, lowers the quality of life and contributes to urban blight.

To address this problem, in July of 2004, this Board adopted an ordinance creating chapter 13.80 of the County Code which authorizes the seizure and forfeiture of vehicles used in illegal dumping. However, the ruling of the California Supreme Court in O'Connell vs. City of Stockton cast a doubt on enforceability of our illegal dumping ordinance, because the Court found that any local law which conflicts with any comprehensive regulatory scheme set forth by the California Vehicle Code is preempted, and the state law would prevail.

More recently, the Governor signed into law Vehicle Code Section 22659.5 which took effect in January of 2010 and provides local governments, through adoption of local ordinance, the authority to impound vehicles used in the course of illegal dumping under certain circumstances.

I, THEREFORE, MOVE THAT the Board of Supervisors, direct County Counsel to work with the Sheriff's Department, the District Attorney's Office and the Antelope Valley Illegal Dumping Task Force to review the new Vehicle Code Section 22659.5 and its applicability to Los Angeles County with a report back in four (4) weeks.

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MOTION

RIDLEY-THOMAS \_\_\_\_\_

YAROSLAVSKY \_\_\_\_\_

KNABE \_\_\_\_\_

ANTONOVICH \_\_\_\_\_

MOLINA \_\_\_\_\_